

October 2, 2013 Payson City Council Minutes

Minutes of the Payson City Council Meeting held at the Payson City Center, 439 West Utah Avenue, Payson, Utah on Wednesday, October 2, 2013 at 6:00 p.m.

ROLL CALL: Mayor Rick Moore; Councilmembers: JoLynn Ford, Kim Hancock, Mike Hardy, and Scott Phillips, City Manager Dave Tuckett, City Attorney Mark Sorensen, and City Recorder Jeanette C. Wineteer. Councilmember Skinner excused.

Mayor Rick Moore presiding.

PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Luke McDonald and Parker Zabriski led the Pledge of Allegiance, both scouts in attendance.

CONSENT AGENDA

MOTION by Councilmember Hardy to approve the Consent Agenda consisting of Approval of September 18, 2013 City Council Minutes. Motion seconded by Councilmember Ford. Motion carries.

PUBLIC FORUM

Kathleen Reynolds said she lives on Sunnyhill Circle and has lived there for 34 years, and every year the grass, including their sprinkler system is dug up and blue stakes paints their lawn and drive way. She has a power, Qwest and a Comcast box on her property.

She commented that their road just received new overlay and they really appreciate that, but it also gets painted by blue stakes.

Mr. Reynolds said that whenever the utility companies blue stake and dig, they just throw everything back together and don't level the ground or put the grass back in.

Manager Tuckett explained that they have to have a permit to cut into the ground and it must be blue staked for the protection of all the utility lines, but they are supposed to fix it back the way it was. Development Services Director Jockmunsen explained that we can call Blue Stakes and see what can be done, but by law they have to mark the area for the contractors digging to be safe, and not hit lines.

Reynolds' then asked if the boxes could be moved off their property. Manager Hall explained that there is a utility easement there and they have a right to be there. However, we can try to make them clean it up after they dig and he will ask the Public Works Secretary, Debbie to call and see what we can do to help. He also said that this is kind of out of our hands because Blue Stakes is a separate entity.

Elaine Williams said she lives at 1553 S 930 West and wanted to thank the City for what they have done on 930 West and said it looks real nice.

Noreen Jensen with the Chamber of Commerce said she would be approaching the Council and the candidates to organize a meet your candidate night. They would like to host it and have a venue at no charge on Tuesday, October 15th. Noreen was told to talk to Facilities Manager Steve Spencer to schedule one of the city buildings for the Meet your Candidate Night.

Carolyn Bowman also with the Chamber of Commerce wanted to invite everyone to the Great Pumpkin Hunt on October 21 – 30th and said this will be a Business Fair/Scavenger Hunt, and all businesses are encouraged to participate. Participants will pick up their first clue at Rory's office and when they have all the signatures from

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the businesses on their card, they will put the completed card in a box at the Chamber Office and then there will be a drawing for prizes on November 1st.

COUNCIL AND STAFF REPORTS

Electrical Superintendent Ron Crump updated the Council on the San Juan Power Project. They have been talking about the generation units and which ones would need to be closed or if they can stay open, but they will continue to monitor them because of Federal EPA regulations. This is changing weekly and he will keep the Council updated.

Recreation Director Karl Teemant met with Peteetneet Board and reported that Dale Barnett has done some additional work on the radiators which will help that building this winter. They have also replaced a sewer line and are keeping things repaired. We appreciate their hard work and volunteerism. They have had 1600 volunteer hours this past quarter, and 89 community service hours.

He also reported about the Youth and Adult Sports that are in progress.

Chief Runyan announced that they have four names to approve for Reserve Officers, and will be getting those to the Council soon. He also invited the Council to the Police Department annual Steak Fry.

Manager Tuckett said that a fence claim at the landfill has been submitted, but for security reasons, we have had to start repairing it.

Golf Pro Tracy Zobell said that the new cart paths are completed. What they are doing with sprinklers, lighting, etc. in Memorial Park will be a nice addition and they are continuing on with it. The High School and Men's Association golf will soon be at a close.

Councilmember Phillips said they are continuing to pave streets, and then they will start to patch the water leak holes. They should be able to continue with this until the end of October.

Councilmember Hancock said that SUVMWA will be getting the Council an invitation to go over the recharge study on December 12th.

Councilmember Ford thanked all parks and recreation crews for the good job they have done this summer.

Councilmember Hardy agreed and said that we are making a lot of progress on roads. He reported on Chamber ribbon cuttings and events they have held.

He said he forwarded some issues to Manager Tuckett, one being parking issues on 900 East. He feels there is a problem waiting to happen if we don't do something about that.

Mayor Moore said he is excited to see the sprinklers, lighting, etc. installed at Memorial Park. He agreed we have put more new streets in town than we ever have. There are still some projects we need to complete this year, and commends all city workers for getting these completed.

SCOUT ATTENDANCE CERTIFICATES

Councilmember Hardy presented attendance certificates to scouts in attendance: Cameron Teglar, Jared Daley, Parker Zabriski, Kenton Parkin, Luke McDonald, Tyler Babble, Braxton Hall, Joseph Bradley, Colby Workman, and Mitchell Price.

CHAMBER – BUSINESS OF THE MONTH

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Lou Ballamis, Chamber of Commerce representative presented the Business of the Month to Gunnerson Dental. He said they are very supportive of businesses in the community and the Chamber is happy to give this award to them.

Cheyn Gunnerson appreciates this award and said it is great to be part of this community. He said they are doing a contest "Smile Makeover" event. Another event will be coming in about another 6 months and it will be announced at a later time.

AGREEMENT FOR LANDOWNER (ALAN RILEY) TO UTILIZE A PORTION OF CITY PROPERTY

Manager Tuckett explained that Alan Riley's fruit stand structure located near Payson High School abuts Payson City Property. There is a strip of property that Payson City owns that would be better suited to have Mr. Riley take care of. He is willing to put up a fence and maintain the property until such time as the city determines that it may need the property. We approved a similar agreement with Benjamin Cook, who lives directly east of Mr. Riley's property.

MOTION by Councilmember Ford to approve the Agreement for Landowner (Alan Riley) to Utilize a Portion of City Property. Motion seconded by Councilmember Hardy. Motion carries.

DISCUSSION REGARDING UTILITY BILL PROPOSAL

Manager Tuckett presented a proposed utility bill concept from Enerlyte. The utility bill would be more transparent with more lines. The concept is that the company would sell advertising and offset the cost of printing and mailing of our utility bills. The proposed savings to Payson City would be approximately \$36,000 annually. We wanted to get your opinion regarding advertising before we moved forward with the concept.

James Noble from Enterlyte was introduced and he presented an updated sample of a utility bill with advertising and more information with comparisons and carts. He said that the advertising would cover the costs to produce and mail the utility bills, so the only thing the employees would need to do is give them information for the bills and say it looked good.

Councilmember Hardy asked how many bills were sent out electronically and Manager Tuckett said out of the 5500 bills, there are about 500 that go out electronically.

Attorney Sorenson said that the contract will be set up to address the constitutional concerns and take them out of play. This concept is not new and other entities are advertising.

Manager Tuckett said we want to make sure there is a preference for advertising for Payson City businesses, but if there isn't enough interest they might get some outside of the city.

Mr. Noble said they currently generate bills for 15-20 that have advertising. He also admitted that they want to support the local businesses.

MOTION by Councilmember Phillips to table this item until we get further information, maybe some costs and input from Chamber of Commerce to see if it is feasible for businesses to advertise, and also look at what a contract would/could be.

Councilmember Hancock would like to give direction to staff to prepare a contract. Consensus of the Council was to have a proposal as if we were going to insist on local advertising, and see what costs it might defray.

Councilmember Ford agreed that we could look at this and pay the costs because we are already paying them, but we want the advertising of local businesses that are located in Payson.

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Motion seconded by Councilmember Ford. Voting aye: Councilmembers Phillips and Ford. Voting nay: Councilmember Hancock and Hardy. Mayor Moore voted aye breaking the tie. Motion carries.

Mr. Noble would like to move forward with this, and prepare the contract.

MOTION by Councilmember Phillips to take the item off the table and reconsider it. Motion seconded by Councilmember Ford. Motion carries.

MOTION by Councilmember Phillips to have Enterlyte prepare a contract for local advertising on the utility bills, and have this advertising defray the costs of the utility bills for the city. Motion seconded by Councilmember Hancock. Motion carries.

DISCUSSION REGARDING STORM DRAIN ISSUES

Attorney Sorensen explained that there has been a lot of rain recently and cities have had a lot of storm drain damage. He explained that the way we handle complaints is similar to the way any homeowner would handle claims, and turn it over to the insurance company. We have been encouraging people with concerns and damage to file a claim with the city so it can be turned into our insurance carrier, and let the independent adjusters evaluate every situation because they all may be different.

Engineer Travis Jockumsen presented a map of 600 East and 500 South, showing an area that staff is proposing to build a retention basin on property the city owns in an existing road right-of-way.

Joyce Bradley lives on 300 North in the center unit of the condos and has done for 9 years. This is the only year she had a problem with water and it happened three times this year, and the water came from Peteetneet Creek. She understands that the creek was used for irrigation and since we went to pressurized irrigation, the creek is closing off because it is not being maintained. During storms the creek is filling up and flooding their yard and basement. This last storm she had 7 feet of water in her basement and lost everything in her basement, including personal mementos.

She said that they would be submitting a claim, but feels the whole issue needs to be addressed and she suggested Peteetneet Creek be piped.

Mayor Moore noted that during the storm there were a couple of fire trucks that went down there to help pump the water out and many volunteers with sandbags.

Jim and Sheryl Mitchell own the third unit, and he said that first he wanted to express his gratitude to all that came and lent their assistance. He said that they had 2 to 2 1/2 feet of water in their basement. He then explained that to the west of the property there is a grating that sits on an angle which he has cleaned out for a number of years. He said that his neighbor has also cleaned it out twice this year, and during this storm he himself cleaned it out three times. He feels that someone from the city should clean this out regularly, and also maybe implement some type of fail-safe device to see if this water might have been able to be diverted.

Camille Ewell said that the grate on 300 N 200 W is in her back yard and she knows that the city has come and cleaned it out because they leave the debris in her yard so she has complained to the City and then they take care of it.

Mr. Mitchell said that during the flooding they had a flow of water spraying through the wall between the two homes, and that is a huge amount of pressure. He wonders about damage to the integrity of the building.

Body Bradley said that the city employees have been outstanding and appreciates all their help. He said that Peteetneet Creek almost makes a 90 degree turn in his mom's yard. Most of the water came from Dodd's

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property south of his moms, which has a culvert and is full of weeds. He wondered whose responsibility it was to maintain the ditches, culverts, etc.

James Ewell lives on 600 East and back to the previous issue; he is only concerned that the holding pond would create a traffic nuisance. He wondered about just installing curb and gutter with a simple drain. Councilmember Phillips said there would be too much water and curb and gutter wouldn't hold it all, but it should percolate in that pond.

Mayor Moore noted that there have been a lot of storm issues this past year, and we are trying to remedy some of the problem areas. He appreciates all of the volunteers that came out and helped at all the locations.

ADJOURN TO CLOSED SESSION

MOTION by Councilmember Hardy to adjourn to Closed Session to discuss potential litigation. Motion seconded by Councilmember Hancock. Motion carries.

Council adjourned to Closed Session at 8:00 p.m.

RECONVENE AND ADJOURN

Council reconvened at 9:06 p.m.

MOTION by Councilmember Phillips for staff to make sure and enforce our zoning ordinances. Motion seconded by Councilmember Hancock. Motion carries.

MOTION by Councilmember Phillips to adjourn. Motion seconded by Councilmember Ford. Motion carries.

Council adjourned at 9:08 p.m.